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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,920	11/09/1999	SHRINIWAS OHIA	062891.0320	7304

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BAKER & BOTTS LLP
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EXAMINER

MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 03/31/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/436,920

Applicant(s)

OHIA, SHRINIWAS

Examiner

Adnan M Mirza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/15/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. In view of the Appeal Brief filed on 01/15/03, PROSECUTION IS HEREBY REOPENED is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Examiner withdraws Final Rejection due to the persuasive Appeal Brief. Applicant is welcome to reinstate its Appeal. Examiner applied 102(e) reference to reject the claims.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 4-7, 10-14, 16, 18-20 are rejected under 35 U.S.C. 102(e) as being unpatentable by Flood et al (U.S. 4,937,777).

As per claim 1 Flood disclosed a system for communicating management information, comprising: a first interface card; a second interface card; and a management card coupled to the first interface card and the second interface card (col. 5, lines 65-67 & col.

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6, lines 1-22 & col. 4, lines 18-22), the management card operable to establish a communication link between a client and a particular one of the first interface card and the second interface card selected in response to a command communicated by the client (col. 4, lines 50-61); and communicate management information using the communication link (col. 4, lines 61-67).

2. As per claims 4, 11 & 18 Flood disclosed wherein the communication link comprises a serial communication path (col. 10, lines 1-4).

3. As per claim 5 Flood disclosed wherein the command comprises information selecting one of the first interface card and the second interface card (col. 5, lines 12-26).

④ 4. As per claim 6 Mitchell disclosed wherein the management information comprises information used to configure a network device associated with the particular interface card (col. 5, lines 12-26).

5. As per claims 7 & 14 Flood disclosed a method for communicating management information performed by a management card (col. 5, lines 65-67 & col. 6, lines 1-3), comprising: receiving a command from a client, the command identifying a particular one of a first interface card and a second interface card (col. 5, lines 23-25); establishing a communication link between the client and the particular interface card in response to receiving the command; and communicating management information using the communication link (col. 5, lines 12-20).

6. As per claim 10 Flood taught a method further comprising operating the client to generate the command and the management information (col. 4, lines 65-67).

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7. As per claims 12 & 19 Flood disclosed wherein the command comprises information selecting one of the first interface card and the second interface card (col. 5, lines 12-26).
8. As per claims 13 & 20 Flood disclosed wherein the management information comprises information used to configure a network device associated with the particular interface card (col. 22, lines 63-67).
9. As per claim 16 Flood disclosed wherein the processor is further operable to communicate management information using the communication link (col.5, lines 21-26).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,3,8,9,15,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flood et al (U.S. 4,937,777) and further in view of Schneider et al (U.S. 6,304,895).

As per claim 2,8,15 Flood teaches the invention as claimed as discussed above; however, Flood failed to disclose wherein the management card comprises: a switch operable to establish the communication link between the client and one of a first port and a second

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port; a memory operable to store mapping information associating the first port with the first interface card and the second port with the second interface card; and a processor coupled to the memory and the switch, the processor operable to: receive the command identifying a particular interface card; determine the port associated with the particular interface card using the mapping information; and command the switch to establish the communication link between the client and the determined port information; and command the switch to establish the communication link between the client and the determined port. In the same field of endeavor Schneider disclosed the control applications (220 and 240) utilize a multi-window architecture (e.g., the Multiple Document Interface (MDI) to support control for multiple target devices. When a target computer's window gains focus, the target controller automatically sends the appropriate key stroke sequence to the switch to select the corresponding switch port of that target computer (col. 14, lines 8-17); In one embodiment of the system of the present invention, the user (with the help of a configuration file or configuration "wizard") manually establishes the correlation between the name of a system and its switch/port number. In light of the fact that this manual process can be cumbersome, especially when are tiered in a hierarchy, an alternate embodiment utilizes an automated configuration process. In that embodiment, the switches utilize one of the keyboard or mouse ports or separate dedicated communications port to pass information from the target devices or switches up to the target controller (col. 14, lines 26-36); In one embodiment of the system of the present invention, the user (with the help of a configuration file or configuration "wizard") manually establishes the correlation between the name of a system and its switch/port number (col. 14, lines 26-30); In an alternate embodiment, two or more

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different users may connect to the same controller. In this embodiment the two or more users may control different control cards or may share access to the same controller card. In this embodiment, the captured GDI calls for a controller card are routed to the appropriate remote control software. Likewise, a user may be connected to the multiple control cards on one or more cards simultaneously (col. 14, lines 49-56); the control applications (220 and 240) utilize a multi-window architecture (e.g., the Multiple Document Interface (MDI) to support control for multiple target devices. When a target computer's window gains focus, the target controller automatically sends the appropriate keystroke sequence to the switch to select the corresponding switch port of that target computer (col. 14, lines 9-17).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the disclose wherein the management card comprises: a switch operable to establish the communication link between the client and one of a first port and a second port; a memory operable to store mapping information associating the first port with the first interface card and the second port with the second interface card; and a processor coupled to the memory and the switch, the processor operable to: receive the command identifying a particular interface card; determine the port associated with the particular interface card using the mapping information; and command the switch to establish the communication link between the client and the determined port information; and command the switch to establish the communication link between the client and the determined port as taught by Schneider in the method of Flood to do multitasking and make resource management more efficient.

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11. As per claims 3, 9 & 17 Flood disclosed wherein: the first interface card is coupled to a first network device that uses a first operating system the second interface card is coupled to a second network device that uses a second operating system (col. 4, lines 33-49); and the processor is further operable to configure the management information for the operating system of the network device associated with the particular interface card (col.4, lines 61-67).

Conclusion

12. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

13. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703)-308-5221. The fax for this group is (703)-746-7239.

14. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT"); (703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"), (703)-746-7238 (For After Final Communications).

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15. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF


Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II, 2021 Crystal Drive, Arlington, VA 22202.

Adnan Mirza

Examiner

A handwritten signature in black ink, appearing to read 'Le Hien Luu', written over a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER